

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 09-13998

Honorable David M. Lawson

v.

CLETAS GREENWOOD, also
known as CLETUS GREENWOOD,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DENYING DEFENDANT'S REQUEST FOR HEARING**

Presently before the Court is the report issued on November 29, 2010 by Magistrate Judge Michael Hluchaniuk pursuant to 28 U.S.C. § 636(b), recommending that this Court deny the defendant's request for a hearing about the answer filed by the garnishee. Although the Magistrate Judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the Magistrate Judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 17] is **ADOPTED**.

It is further **ORDERED** that the defendant's request for a hearing about the answer filed by the garnishee [dkt. # 12] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 21, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 21, 2010.

s/Deborah R. Tofil
DEBORAH R. TOFIL